

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
Civil No. 1:19-CV-287-FDW

RANDY GRINDSTAFF,

Plaintiff,

V.

ANDREW SAUL,
Commissioner of Social Security,

Defendant.

ORDER

THIS MATTER is before the Court on Plaintiff's Motion for Attorney Fees (Doc. No. 16) and Defendant's Response thereto (Doc. No. 17). Plaintiff's counsel filed a motion for approval of attorney's fees under 42 U.S.C. § 406(b), in the amount of \$12,304.00. Attorney's fees under 42 U.S.C. § 406(b) are paid from past-due benefits awarded to a successful claimant. Plaintiff has been awarded attorney's fees under the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412, in the amount of \$5,800. (Doc. No. 15). Defendant filed a response, stating that under Gisbrecht v. Barnhart, 535 U.S. 789 (2002), it is the duty of the Court to determine a reasonable fee.

It is therefore ORDERED that Plaintiff's Motion (Doc. No. 16) is GRANTED, and the Commissioner of Social Security pay to Plaintiff's counsel, Charlotte W. Hall, the sum of \$12,304.00, sent to her office at P.O. Box 58129, Raleigh, North Carolina 27658, and that Plaintiff's counsel pay to Plaintiff the sum of \$5,800.00.

IT IS SO ORDERED.

Signed: February 9, 2021

Robert Anthony

Frank D. Whitney
United States District Judge